

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Brad Hill, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

F048047 N. R. Willow Grove, LLC, v. Fountain Willow Grove Limited Partnership

Parties stipulate that (1) Hill, J., the absent assigned justice, participate in the determination of this appeal, and (2) Hill, J. to listen to the tape recording of oral proceedings upon his/her return.

Cause called and argued by Mark B. Fredkin, Esq., counsel for appellant and by Mary Kay Lacey, Esq., counsel for respondent.

Submission deferred until Friday, October 20, 2006 for Hill, J. to listen to the tape recording of oral argument.

F049327 N. R. Willow Grove, LLC, v. Fountain Willow Grove Limited Partnership

Parties stipulate that (1) Hill, J., the absent assigned justice, participate in the determination of this appeal, and (2) Hill, J. to listen to the tape recording of oral proceedings upon his/her return.

Cause called and argued by Mark B. Fredkin, Esq., counsel for appellant and by Mary Kay Lacey, Esq., counsel for respondent.

Submission deferred until Friday, October 20, 2006 for Hill, J. to listen to the tape recording of oral argument.

Court recessed until Monday, October 16, 2006 at 1:45 P.M.

F049657 In re Alan A., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F049657 In re Alan A., a Minor

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050214 In re M. V. et al., Minors.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F050214 In re M. V. et al., Minors.

The juvenile court's dispositional order is affirmed. Gomes, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048115 People v. Lenix

The matter is remanded with directions to the trial court to amend the abstract of judgment by striking the imposition of a determinate 25-year term on the count 1 firearm enhancement and substituting the imposition of an indeterminate 25-to-life term on that enhancement and to send to all appropriate persons certified copies of the abstract of judgment as so amended. (§12022.53,subd.(d).) Lenix has no right to be present at those proceedings. (see People v. Price(1991) 1 Cal.4th 324,407-408.) Otherwise the judgment is affirmed. Gomes, J.

We concur: Levy, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047525 People v. Gruber

Appellant's petition for rehearing and request for publication filed herein are denied.

F049389 People v. Johnson

The above-entitled case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

- F049389 People v. Johnson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050780 In re Exaiver N. et al., Minors.**
IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F051078 Alberto V., v. Kern Co. Dept. of Human Services**
The above-entitled case is submitted for decision.
- F051078 Alberto V., v. Kern Co. Dept. of Human Services**
The petition for extraordinary writ is dismissed. This opinion is final forthwith as to this court.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F049577 People v. Hernandez**
The above-entitled case is submitted for decision.
- F049577 People v. Hernandez**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050893 People v. Harris**
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.